



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0197

Introduced 2/2/2005, by Sen. Edward D. Maloney

SYNOPSIS AS INTRODUCED:

210 ILCS 9/76
210 ILCS 45/2-213

Amends the Assisted Living and Shared Housing Act and the Nursing Home Care Act. Provides that an assisted living establishment or shared housing establishment that provides medication administration as an optional service shall administer a vaccination against tetanus to each resident; also provides that a nursing home shall administer a vaccination against tetanus to each resident. Provides that an assisted living establishment or shared housing establishment or nursing home shall document in the resident's medication record that a vaccination against tetanus was administered, refused, or medically contraindicated. Effective immediately.

LRB094 06095 DRJ 36158 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Assisted Living and Shared Housing Act is
5 amended by changing Section 76 as follows:

6 (210 ILCS 9/76)

7 Sec. 76. Vaccinations.

8 (a) Before a prospective resident's admission to an
9 assisted living establishment or shared housing establishment
10 that does not provide medication administration as an optional
11 service, the establishment shall advise the prospective
12 resident to consult a physician to determine whether the
13 prospective resident should obtain a vaccination against
14 pneumococcal pneumonia or influenza, or both.

15 (b) An assisted living establishment or shared housing
16 establishment that provides medication administration as an
17 optional service shall annually administer a vaccination
18 against influenza and shall administer a vaccination against
19 tetanus to each resident, in accordance with the
20 recommendations of the Advisory Committee on Immunization
21 Practices of the Centers for Disease Control and Prevention
22 that are most recent to the time of vaccination, unless the
23 vaccination is medically contraindicated or the resident has
24 refused the vaccine. Influenza vaccinations for all residents
25 age 65 or over shall be completed by November 30 of each year
26 or as soon as practicable if vaccine supplies are not available
27 before November 1. Residents admitted after November 30, during
28 the flu season, and until February 1 shall, as medically
29 appropriate, receive an influenza vaccination prior to or upon
30 admission or as soon as practicable if vaccine supplies are not
31 available at the time of the admission, unless the vaccine is
32 medically contraindicated or the resident has refused the

1 vaccine. In the event that the Advisory Committee on
2 Immunization Practices of the Centers for Disease Control and
3 Prevention determines that dates of administration other than
4 those stated in this Section are optimal to protect the health
5 of residents, the Department is authorized to adopt rules to
6 require vaccinations at those times rather than the times
7 stated in this Section. An establishment shall document in the
8 resident's medication record that an annual vaccination
9 against influenza or a vaccination against tetanus was
10 administered, refused, or medically contraindicated.

11 An assisted living establishment or shared housing
12 establishment that provides medication administration as an
13 optional service shall administer or arrange for
14 administration of a pneumococcal vaccination to each resident
15 who is age 65 or over, in accordance with the recommendations
16 of the Advisory Committee on Immunization Practices of the
17 Centers for Disease Control and Prevention, who has not
18 received this immunization prior to or upon admission to the
19 establishment, unless the resident refuses the offer for
20 vaccination or the vaccination is medically contraindicated.
21 An establishment shall document in each resident's medication
22 record that a vaccination against pneumococcal pneumonia was
23 offered and administered, refused, or medically
24 contraindicated.

25 (Source: P.A. 92-562, eff. 6-24-02; 93-1003, eff. 8-23-04.)

26 Section 10. The Nursing Home Care Act is amended by
27 changing Section 2-213 as follows:

28 (210 ILCS 45/2-213)

29 Sec. 2-213. Vaccinations.

30 (a) A facility shall annually administer a vaccination
31 against influenza and shall administer a vaccination against
32 tetanus to each resident, in accordance with the
33 recommendations of the Advisory Committee on Immunization
34 Practices of the Centers for Disease Control and Prevention

1 that are most recent to the time of vaccination, unless the
2 vaccination is medically contraindicated or the resident has
3 refused the vaccine. Influenza vaccinations for all residents
4 age 65 and over shall be completed by November 30 of each year
5 or as soon as practicable if vaccine supplies are not available
6 before November 1. Residents admitted after November 30, during
7 the flu season, and until February 1 shall, as medically
8 appropriate, receive an influenza vaccination prior to or upon
9 admission or as soon as practicable if vaccine supplies are not
10 available at the time of the admission, unless the vaccine is
11 medically contraindicated or the resident has refused the
12 vaccine. In the event that the Advisory Committee on
13 Immunization Practices of the Centers for Disease Control and
14 Prevention determines that dates of administration other than
15 those stated in this Act are optimal to protect the health of
16 residents, the Department is authorized to develop rules to
17 mandate vaccinations at those times rather than the times
18 stated in this Act. A facility shall document in the resident's
19 medical record that an annual vaccination against influenza or
20 a vaccination against tetanus was administered, refused or
21 medically contraindicated.

22 (b) A facility shall provide or arrange for administration
23 of a pneumococcal vaccination to each resident who is age 65
24 and over, in accordance with the recommendations of the
25 Advisory Committee on Immunization Practices of the Centers for
26 Disease Control and Prevention, who has not received this
27 immunization prior to or upon admission to the facility, unless
28 the resident refuses the offer for vaccination or the
29 vaccination is medically contraindicated. A facility shall
30 document in each resident's medical record that a vaccination
31 against pneumococcal pneumonia was offered and administered,
32 refused, or medically contraindicated.

33 (Source: P.A. 93-384, eff. 7-25-03.)

34 Section 99. Effective date. This Act takes effect upon
35 becoming law.